

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 17, 2017**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

TYLER JAMES THOMAS  
LANKFORD,

Plaintiff,

v.

CITY OF PULLMAN; COUNTY OF  
WHITMAN; STATE OF  
WASHINGTON; OFFICER JOSHUA  
BRAY; OFFICER BRIAN  
CHAMBERLAIN; DETECTIVE  
TODD DOW; OFFICER ALEX  
GORDON; SERGEANT SAM  
SOREM; OFFICER GREG  
UMBRIGHT; OFFICER JUSTIN  
DEROSIER; OFFICER MIKE  
PETLOVANY; and DOES I-X,

Defendants.

No. 2:16-CV-0377-SMJ

**STIPULATED PROTECTIVE  
ORDER**

Before the Court, without oral argument, is the parties' Stipulated Protective Order, ECF No. 8-1. The parties seek a protective order to safeguard personal information and its use. ECF No. 8 at 4. Further, the parties submitted a Joint Status Report Re: Issuance of Protective Order, ECF No. 22, indicating that no changes to the proposed protective order at ECF No. 8-1 are needed. Lastly, the Court notes that the parties' Stipulated Protective Order includes a reference to a sample copy

1 of a consent form as Exhibit A yet includes no such form. ECF No. 8-1 at 3. The  
2 Court will leave this issue to the parties and direct them to fashion an appropriate  
3 consent form to use whenever either party seeks to bind an individual to this Order's  
4 terms.

5 Having reviewed the pleadings and the file in this matter, the Court is fully  
6 informed and grants the Stipulated Protective Order.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 **1. Joint's Stipulated Protective Order, ECF No. 8-1, is GRANTED.**

9 **IT IS HEREBY STIPULATED AND AGREED THAT:**

10 The following procedures shall apply to the personnel, internal affairs,  
11 training records, hiring files, employment files, and any other files pertaining to  
12 officers of the City of Pullman Police Department, and any documents, written or  
13 other that contain any personal information regarding any third party in the above-  
14 referenced matter or not a party hereto but pursuant to a request for release by  
15 Plaintiff's counsel. The City of Pullman has designated these records as confidential  
16 subject to the following provisions:

17 1. The personnel records, employment records, hiring files, training  
18 records, and financial and tax records of all officers of the City of  
19 Pullman Police Department (herein "Records") produced in response  
20 to Plaintiff's production requests shall be used solely for the purposes

1 of this litigation and shall not be disclosed, except pursuant to court  
2 order, to anyone except:

- 3 a. The party(ies), their attorneys and the attorney's employees;  
4 b. Consultants and experts retained by any party for the purposes  
5 of assisting in the preparation or presentation of claims or  
6 defenses;  
7 c. Any other person with prior written consent of the party  
8 producing the documents.

9 2. All of the foregoing persons, other than the parties' attorneys and their  
10 employees, shall be shown a copy of this Order and shall sign it or  
11 otherwise signify in writing prior to being shown confidential  
12 documents that the person has read the Order and consents to be bound  
13 by its terms. Attached hereto as Exhibit A is a sample copy of a consent  
14 form.

15 3. The social security numbers, dates of birth, bank account  
16 identifications, financial information, and driver's license of any  
17 individual, whether a police officer or a third party, shall be redacted  
18 from all documents prior to the Defendant providing a copy of the  
19 same to Plaintiff's counsel.  
20

- 1       4.     The addresses and phone numbers of police officers or other law  
2           enforcement personnel and those individual's friends and families  
3           shall be redacted prior to the Defendant providing a copy of the same  
4           to Plaintiff's counsel.
- 5       5.     The names of the family members of individual law enforcement  
6           officers shall also be redacted.
- 7       6.     The names, addresses, phone numbers and other personal identifiers of  
8           citizens who were not involved in the underlying investigation, search  
9           and arrest shall be redacted from the produced officers personnel file  
10          copies, with the exception of those individuals who made any claim(s)  
11          addressed by Plaintiff's Requests for Production 5, 6, 10, and 11.  
12          Those individuals' name, addresses, and telephone numbers shall not  
13          be redacted.
- 14      7.     Plaintiff Tyler Lankford's medical records and medical billing records  
15          shall also be considered "confidential" within the meaning and scope  
16          of this Order.
- 17      8.     Prior to filing or submission into evidence in this action of any  
18          "Confidential" material (including the filing of any pleadings which  
19          incorporate or disclose "Confidential" material) by counsel for either  
20          party in this action, said counsel shall seal said record(s) and shall

1 remain under seal unless ordered by the Court to be opened. Such  
2 sealing and filing shall be accomplished in accordance with the  
3 appropriate court rules for filing material under seal, and the material  
4 shall remain under seal with the Court unless and until the Court orders  
5 otherwise. Such “Confidential” material shall not become a part of the  
6 public record in this action, nor shall it otherwise be made available to  
7 the public. Only persons authorized under the provisions of this  
8 Protective Order, the Court (including any court to which this action  
9 may be appealed or transferred), and persons employed by or assisting  
10 the Court in this action shall be given access to any such “Confidential”  
11 material or to any testimony or oral statements disclosing the substance  
12 thereof.

13 9. Upon completion of this litigation, all copies of the Records or  
14 documents produced shall, at the producing party’s option, be  
15 destroyed or returned to the providing party’s counsel. This is to  
16 include all copies reproduced by any party, agent, employee or expert  
17 of Plaintiffs and Defendants.

18 10. No documents or information from the Records shall be used for any  
19 purpose unrelated to the conduct of this litigation.  
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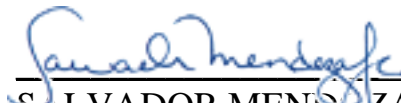
1 11. Nothing contained herein shall be construed to prejudice or limit any  
2 party's right to use the Records in taking of depositions or at trial to  
3 the extent permitted, if at all, under the Rules of Evidence and Civil  
4 Procedure.

5 12. Nothing in this Order shall prevent any party hereto from seeking  
6 modification of this Order or from objecting to discovery which it  
7 believes to be otherwise improper.

8 13. Violation of the terms of this Order, by any of the signatories to this  
9 agreement, their employees, agents or experts may subject the violator  
10 to terms (monetary and/or injunctive) as well as attorney's fees and  
11 costs incurred in enforcing this Order and as the Court deems  
12 appropriate.

13 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
14 provide copies to all counsel.

15 **DATED** this 17th day of March 2017.

16   
17 SALVADOR MENDOZA, JR.  
18 United States District Judge  
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